

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WALTER PARFAITE,	:	CIVIL NO: 3:22-CV-00316
	:	
Plaintiff,	:	
	:	(Magistrate Judge Schwab)
v.	:	
	:	
	:	
KIM LIPPINCOTT,	:	
	:	
Defendant.	:	

**ORDER**

January 22, 2025

For the reasons set forth in the Memorandum Opinion filed concurrently with this Order, **IT IS ORDERED** that Parfaite's Fifth Amendment due process claim is dismissed pursuant to § 1915(e)(2)(B)(ii) and 28 U.S.C. § 1915A(b)(1).

**IT IS ALSO ORDERED** that Parfaite Fourth Amendment failure-to-intervene claim based on the search is dismissed pursuant to § 1915(e)(2)(B)(ii), (iii).

**IT IS FURTHER ORDERED** that defendant Lippincott's second motion for summary judgment (*doc. 137*) is **GRANTED**, and the Clerk of Court is directed to enter judgment in favor of defendant Lippincott as to Parfaite's fabrication-of-evidence claims based on the bail-criteria form, all other fabrication-of-evidence claims based on the state charges, the *Brady* claims based on the state charges, and the Eighth Amendment bail claim. **IT IS ALSO ORDERED** that

pursuant to the favorable-termination rule of *Heck*, the other fabrication-of-evidence claims based on the federal charges and the *Brady* claims based on the federal charges are dismissed without prejudice. And we will decline to exercise supplemental jurisdiction over Parfaite's state-law claim.

Finally, **IT IS ORDERED** that in accordance with the Order of February 26, 2024, the Clerk of Court is directed to enter judgment in favor of defendant Lippincott as to Parfaite's claim that she testified falsely in court or before the grand jury.

**S/Susan E. Schwab**

Susan E. Schwab

United States Magistrate Judge